



SEABIRD ISLAND

POLICY NAME: Respectful Behaviour

Department Responsible (if applicable)	Council
Policy Name:	Respectful Behaviour Policy
Policy: ID Number:	2019-10.001
Effective Date:	May 21, 2019
Changes Supersede:	All previous policies and/or statements with this title or number
The Last Date Reviewed:	
Scheduled Date for Review	
Approved by Council – Date	May 22, 2019
Resolution Number (if applicable)	
Signed by Chief 	Signed by Councillor 



1. PURPOSE

- a. Under Canadian law, federal employers and service providers are responsible for providing an environment or service that is free of discrimination and harassment.
- b. The goal of this policy is to recognize the dignity and worth of every person (whether a member, resident, service recipient, employee, Council member) and to create a climate of understanding and mutual respect.
- c. The purpose of this policy is to promote a safe, healthy, respectful, and positive environment for members of the Band, the public, volunteers, staff, and Council when interacting.
- d. To this end, the goal of this policy is to define behaviour that may negatively impact the experience of others or creates unsafe conditions, and how these behaviours will be addressed when it occurs within any Seabird Island (SI) facility or in association with any service, program or event provided by or associated with SI.
- e. Discrimination, bullying, and harassment are an occupational health and safety issue that poses a potential risk to the physical and mental health and safety of workers. When it comes to discrimination, bullying, and harassment; employers, workers, and supervisors have legal obligations.
- f. Included in this commitment is an understanding that organizations using SI's facilities must take primary responsibility for managing the behaviour of all associated participants, volunteers, officials, spectators, patrons, parents, guests, and the general public.
- g. SI encourages all organizations using SI's facilities to develop and implement their behaviour management policies which will help support the SI policy.

2. SCOPE

- a. This policy applies to all persons (the public, members, residents, non-residents, volunteers, tenants, consultants, contractors, staff, and Council) within SI facilities, and at any other location where SI staff are present.
- b. This policy applies to in-person interactions and all forms of verbal communication (for example, by telephone) and written communication (for example, by email and social media).
- c. Inappropriate behaviour that happens within the context of an organized sports activity will only be addressed using this policy at the request of a delegate in charge of the activity or when SI staff are involved.
- d. This policy is intended to align with the Canadian and Provincial laws, SI's Human Resources Manual, Code of Conduct, Harassment and Discrimination, and the Health and Safety and Violence in the Workplace policies.



3. DEFINITIONS

- a. **Bullying:** includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.
- b. **Discrimination:** is an action or a decision that treats a person or a group negatively for reasons such as their race, age or disability. These reasons are known as grounds of discrimination.
 - i. The 11 grounds are protected under the Canadian Human Rights Act
 1. race
 2. national or ethnic origin
 3. colour
 4. religion
 5. age
 6. sex
 7. sexual orientation
 8. marital status
 9. family status
 10. disability
 11. a conviction for which a pardon has been granted or a record suspended.
 - ii. There are several ways that a person could be discriminated against. The Canadian Human Rights Act calls these discriminatory practices. The following seven discriminatory practices are prohibited by the Canadian Human Rights Act when they are based on one or more of the 11 grounds of discrimination:
 1. Denying someone goods, services, facilities or accommodation.
 2. Providing someone with goods, services, facilities or accommodation in a way that treats them adversely and differently.
 3. Refusing to employ or continue to employ someone, or treating them unfairly in the workplace.
 4. Following policies or practices that deprive people of employment opportunities.
 5. Paying men and women differently when they are doing work of the same value.
 6. Retaliating against a person who has filed a complaint with the Commission or against someone who has filed a complaint for them.
 7. Harassing someone.
- c. **Harassment:** Harassment is a form of discrimination. It involves any unwanted physical or verbal behaviour that offends or humiliates you. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment.
 - a. Harassment occurs when someone:



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1. Makes unwelcome remarks or jokes about a person's, race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and a conviction for which a pardon has been granted or a record suspended.
 2. Threatens or intimidates another person.
 3. Makes unwelcome physical contact with a person, such as touching, patting, pinching or punching, which can also be considered assault.
 4. Examples of Harassment:
 - i. A colleague repeatedly makes fun of your hijab
 - ii. A manager regularly makes inappropriate comments about your physical appearance
 - iii. An employee threatens your safety following a heated discussion
 - iv. A supervisor rubs your shoulders despite your repeated objections
- d. **Vandalism:** The deliberate destruction, damage or defacing of buildings, structures or property owned or leased through SI.
- e. **Vexation:** the state of being vexed; irritation; annoyance: something that causes annoyance, frustration, or worry.
- f. **Violence:** The exercise of physical force, or attempt to exercise physical force, by a person, against another, that causes or could cause physical injury, or mental distress and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury. Examples include verbal threats; threatening notes or emails; shaking a fist in an individual's face, wielding a weapon, hitting or trying to hit someone, throwing an object at someone, or sexual violence.
- g. **SI Facility:** includes both indoor and outdoor facilities, owned, leased, rented, allocated, programmed, operated or managed by SI, intended for public or staff use. This includes, but is not limited to, administration offices, schools, work yards and work sites, sports facilities and fields, staff offices and meeting rooms, community meeting spaces, trails, and other SI lands.

4. COMPLIANCE

- a. In cases of policy violation, SI will investigate and determine appropriate corrective action.

5. POLICY STATEMENTS

- a. SI condemns violence, harassment, denigration, discriminatory actions, and the promotion of hatred. SI will not tolerate, ignore, or condone this type of behaviour and is committed to promoting respectful conduct, tolerance, and diversity at all times.
- b. Behaviours that obstruct or hinder the ability of others to use and enjoy SI facilities, or participate in SI meetings, services, programs or events, or compromise the safety and health of others, including staff, are unacceptable and prohibited.
- c. SI will take action against those who violate this policy, to ensure violence, harassment, discrimination-free workplace, facility and service provision. The action may include calling



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security or the police, barring violators from facilities, limiting services, discontinuing business and/or revoking contracts with consultants or contractors.

- d. Inappropriate behaviours will not be tolerated at SI. Members, advisory committees/bodies, members of the public, service recipients, visitors to and users of SI facilities/public space and individuals conducting business with, for or with support from SI, are expected to adhere to this policy. Inappropriate behaviour for the purpose of this policy includes, but is not limited to, the following:
- i. Harassment and bullying;
 - ii. Discrimination;
 - iii. Sabotaging a person's work;
 - iv. Spreading malicious gossip or rumours about a person;
 - v. Engaging in harmful or offensive initiation practices;
 - vi. Making personal attacks based on someone's private life and/or personal traits;
 - vii. Making aggressive or threatening gestures;
 - viii. Engaging in targeted social isolation;
 - ix. Theft of property;
 - x. Vandalism of any kind;
 - xi. Illegal consumption of alcohol, drugs or other substances;
 - xii. The use of all cell phones, cameras, video recording devices, personal digital devices, or any other equipment with video or photographic abilities in change rooms and public washrooms;
 - xiii. Publicly engaging in a lewd act;
 - xiv. Display of lewd, illegal or offensive material including pornography or material that includes violent acts, indecency, hate, illegal gambling or profanity, as well as material with text or imagery that has explicit or malicious intent;
 - xv. Violence of any kind including:
 1. Aggressive or intimidating verbal assaults; calling someone derogatory names
 2. Threats and/or attempts to intimidate;
 3. Harassment which may include the wearing of attire, the displaying of material or the use of language that is intolerant of human rights;
 4. Deliberate throwing of articles in an aggressive or disruptive manner;
 5. Actual or attempted physical assaults of another person;
 6. Sexual violence;
 7. Attempts to goad or incite violence in others;
 8. Possession of weapons.
 9. Any criminal behaviour.
 - xvi. Refusal to follow rental agreement and all other related SI; Codes/Laws/Bylaws/Policies/Procedures; Provincial or Federal Statutes;
 - xvii. Blocking thoroughfares/corridors/stairways/exits;
 - xviii. Engaging in horseplay, including running in throughways, corridor, and stairwells;
 - xix. Causing unsanitary conditions (i.e., chewing tobacco, expulsion of bodily fluids, etc.); and
 - xx. Use of profanity or obscene language;



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- e. Police must be called to respond to all occurrences of behaviour identified in section 5. d. xv, (items i through ix). Other types of inappropriate behaviour may also be reported to the police. Charges may follow.

6. RESPONDING TO INAPPROPRIATE BEHAVIOUR

- a. SI's primary concern is the safety of its members, the public, volunteers, staff, and Council. If at any time members, patrons, volunteers, staff or Council feel threatened, they are to call security or the police immediately. For staff members, depending on the situation, they can call for A CODE WHITE or SHELTER IN PLACE response.
- b. Staff or patrons or any other member of the public are NOT expected to put themselves at risk or jeopardize their safety or that of others when dealing with any perceived or real threatening situation, when responding to occurrences of inappropriate behaviour if they feel unsafe, threatened, or otherwise unable to respond for any reason. They are to remove themselves from the situation.
- c. Members of the public are encouraged to report acts of inappropriate behaviour they experience or witness to SI security, staff, or the police if indicated.
- d. SI security or staff will follow their Incident Response procedures when responding to an occurrence of inappropriate behaviour or in response to a complaint from a member of the public, volunteer, other individuals.
 - i. A file will be created containing the Incident Report along with any other information gathered.
 1. All files will be dealt with by the appropriate person responsible for dealing with that particular incident including the recording, investigating, and the outcome. Any follow up with an individual about an occurrence, such as a meeting, phone call, or other communications, must be noted in the file.
 2. All files will be sent to the appropriate person responsible for the management and retention of files.
- e. The completed Incident Report, along with all other written documentation, including letters of warning, trespass notices, any other required documentation, and any follow-up or action taken will be provided to the CAO and Council.
- f. In accordance with any relevant SI, Federal, Provincial Legislation; SI security, Council, management, and employees are authorized to respond at a SI facility if inappropriate behaviours or activities are observed or reported. They have the right to ask the individuals to leave the premises.
- g. Once the Incident Report and all other related documentation are received by the CAO and Council, the Council will determine if additional action should be taken.
- h. If it is recommended that an individual should be banned from ALL SI facilities, the Council will be required to make the final decision.



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- i. If additional action is warranted, such as a warning or trespass notice, the Council will send a letter to the identified individual within 14 days of the incident. The letter will describe the occurrence of inappropriate behaviour and the remedial action to be taken. A copy of the Respectful Behaviour Policy should be included with the letter.
- j. If the police issue a ticket for trespassing at the request of SI Council, SI must follow up with a letter of trespass to the individual charged, noting the length and terms of the ban from SI facilities, programs, services or events.
- k. Information about incidents of inappropriate behaviour and individuals who have been issued trespass notices will be shared, on a confidential basis, with appropriate staff to help support a safe and healthy environment for patrons, volunteers, and staff.
- l. If the individual involved in inappropriate behaviour is associated with an organization using an SI facility, the organization will be notified of the incident within seven (7) days.
- m. In addition to any other measures taken, where damage to SI property has occurred, the individual(s) responsible will be required to reimburse SI for all costs associated with repairs, including labour, materials and lost revenues and will be subject to an administration fee. Legal action may be taken to recover related costs if required.
- n. In addition to any other measures taken, where damage to SI staff's reputation has occurred, the individual(s) responsible will be required to reimburse SI for all costs associated with the incident. Legal action may be taken to recover related costs if required.
- o. Occurrences of inappropriate behaviour involving minors must include parent or guardian contact as soon as possible if a claim for costs will/may be made, and/or where a trespass notice is implemented.
- p. Staff and Council will be provided with appropriate training to support the implementation of this policy.

7. APPEALS

- a. If an individual wishes to appeal any action taken by SI in response to inappropriate behaviour, the individual may present their case in writing to the Council, or should the occurrence involve a member of Council, to the designate for that issue, within 14 days of the decision.
 - a. The appeal will be reviewed by the Council or designate, whose decision shall be final.
- b. If an individual wishes to appeal any action taken by the police in response to inappropriate behaviour, the individual must deal with the police and not Council.

8. POLICY COMMUNICATION

- a. A copy of this policy will be posted on SI's website.



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- b. Signage will be posted at major recreation facilities near the main entry doors. Signage may also be posted at other locations as needed.
- c. A brochure outlining appropriate and inappropriate behaviours will be available at indoor recreation facilities and on SI's website.
- d. Facility users will, at a minimum, be notified of the policy and its location on the SI website.
- e. Staff will receive training on the policy as part of the new hire orientation. Directors and Managers will review the policy with staff on an annual basis, and additional training will be provided as needed.

9. POLICY RESPONSIBILITIES

- a. The Council is responsible for the adopting of all policies at SI.
 - i. The Council may delegate the authority for the developing, maintaining, monitoring and implementation of the policy.
- b. This policy will be evaluated and revised as needed, at least once per Council term.

10. POLICY DEVELOPMENT REFERENCES

- a. The Indian Act
- b. The Canadian Human Rights Act
- c. The Criminal Code of Canada
- d. Canada Labour Code
- e. Canada Occupational Safety and Health Regulations
- f. SI Governance Manual
- g. SI Codes, Laws, Bylaws, Policies, and other appropriate documents
- h. WorkSafeBC

11. POLICY DEVELOPMENT, AMENDING, AND INTERPRETATION

- a. The Council may establish, amend, or repeal any policy, procedures, and directions as deemed necessary or as required by law. The Council reserves the right to formulate or delete policy and to modify existing policy for immediate implementation.

12. QUESTIONS

- a. If anyone has a question/s regarding this policy, please contact the Council or the CAO.



SEABIRD ISLAND POLICY AMENDMENT FORM

Policy Title:		ID Number:	Department:	
Page #	Policy #	Policy Issue – Yes	Procedure Issue – Yes	

Submitted By:	Submission Date:	Amendment Required By:
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Policy/Procedure Concern:

Suggested Amendment:

Office use only – CAO/Director Team Approved:	Council Approved:	Date Council Signed Off:
Yes ___ No ___ Date: _____	Yes ___ No ___	_____



Seabird Island Band

P.O. Box 650, 2895 Chowat Road, Agassiz, B.C, V0M 1A0
(604) 796-2177 | (604) 796-3729

Incident Report Form

Type of incident: Near miss/precautionary Adverse event Critical incident -- 911 called? Yes

Date:

Reporter information:

Name: _____ Phone Number(s): _____

I am an Employee I am a Contractor I am a _____ (fill in blank)

Incident information

Incident Date (dd/mm/yy): ____ / ____ / ____ Time of Incident : _____ AM/PM

Location/Area:

Incident category: (check all that apply)

Violence/harassment/abuse	<input type="checkbox"/>	Spill/hazardous materials	<input type="checkbox"/>	Injury	<input type="checkbox"/>
Self-harm	<input type="checkbox"/>	Property damage	<input type="checkbox"/>	Motor vehicle incident	<input type="checkbox"/>
Physical	<input type="checkbox"/>	Medication error	<input type="checkbox"/>	Unsafe working conditions	<input type="checkbox"/>
Sexual	<input type="checkbox"/>	Disease outbreak	<input type="checkbox"/>	Missing person	<input type="checkbox"/>
Mental	<input type="checkbox"/>				
Financial	<input type="checkbox"/>				

Other:

Injured/affected person information

Name of affected person _____ ***Fill out one form per person***

Injured Person is Staff (also complete a WorksafeBC claim form from HR) Contractor Client

Child (also complete an Reportable Incident form) Other: _____

Description of incident; what happened and what contributed to incident? (attach additional pages if necessary)

This incident involved Police Ambulance Fire department Rescue

Property/Equipment/Environmental Damage (skip if not applicable)

Estimated Cost: _____

Receipts attached? Yes

Actions already taken

Supervisor notified (insert name) _____

Date of notification _____ Time of notification _____

Was First Aid Given? No Yes By Whom: _____

Next of kin/contact person notified? No Yes _____ (name)

Care plan/policy/procedure followed? No Yes (If no, provide details below)

Evaluation of Further Risk Potential

The likelihood that another similar incident will occur in the future:

Probable Recurrence Possible recurrence Unlikely recurrence Unsure/

Comments:

What is the potential or actual loss associated with this incident?

Serious loss Moderate loss Minor loss Unsure

Comments

Make sure your supervisor is aware of this incident. This form does not replace immediate actions.

Send this completed form to the Quality Officer (Heather McDonald), sealed for confidentiality.

Signature

Date